



Election / #7  
J 4.23.03

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: W. STRITTMATTER et al.

Examiner: L. A. MAYES

Serial No.: 09/936,737

Group Art Unit: 1653

Filed: September 17, 2001

Title: PROTEIN FOR BLOCKING PLATELET ADHESION

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**TECH CENTER 1600/2900**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

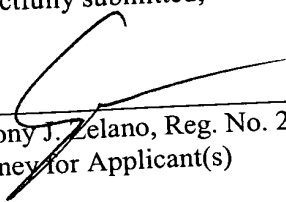
In response to the office action dated March 17, 2003, applicants elect, with traverse, Group I (claims 1-5 and 14-17) drawn to an isolated polypeptide, a pharmaceutical preparation comprising the polypeptide and a method of using the polypeptide for the manufacture of medication.

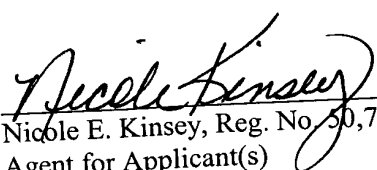
It is respectfully submitted that the subject matter of the claims does have unity of invention. For example, Groups I-II are linked so as to form a single general inventive concept, the polypeptide of claim 1. Further, the polypeptides of Groups I and II are disclosed as having common utilities, blocking adhesion of cells. Furthermore, a search of the compounds of Groups I-V would not represent a serious search burden for the patent office. Absent a serious burden of examination, restriction is not proper. See M.P.E.P. §803. Thus, the requirement should be withdrawn.

DOCKET NO: MERCK-2299  
SERIAL NO: 09/936,737

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

  
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Date: April 17, 2003